

The Public Sphere and Media Politics in Malaysia

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By

Mohd Azizuddin Mohd Sani

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P U B L I S H I N G

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This book began as a new attempt after completing my doctoral thesis entitled *Social Responsibility and the Theory and Practice of Freedom of Political Speech in Malaysia*. My doctoral thesis discussed the issue of free speech. In this book, I try to narrow down the issue in analysing the debates on press freedom. I believe that the issue of media politics in Malaysia can be explained by using Habermas' theory of the public sphere even though I am a little bit sceptical in some of the Habermas' arguments on media.

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INTRODUCTION

This book can be divided into three main arguments. First, this book explores about the theory of free press and the role of the media in a society. Second, it also explains about the development and progress of media system in the Western countries as well as in Malaysia. Jurgen Habermas' theory of the public sphere is used in order to understand the media system. I believe that the theory of public sphere is the best theory in explaining the reality of media politics in Malaysia. Third, this book argues that Malaysia should apply the theory of social responsibility in order to implement a free and responsible media and to ensure media is used for the common good without jeopardising racial harmony in Malaysia's multiracial society.

Chapter 1 sets up in discussing about the theory, role and problem of free press. This chapter also elucidates that the media is so essential when people utilise the media in deliberating and debating views and issues critically without government's intervention, unless the views and issues could harm the society. Therefore, Habermas has come out with his idea of the public sphere. This chapter elaborates Habermas' views on the public sphere especially in Western experiences.

Chapter 2 further discusses the Habermas' argument of public sphere and applies the argument in the context of Malaysian media. It traces the argument in Malaysia where the period of bourgeois public sphere is referred to the period of nationalist movements that used the printing media to challenge the British colonial and implanted consciousness within the community especially the Malay community about the lack of education and the evil of British colonialisation. The period of mass press or commercialisation of the media began soon after Malaya getting its independence and it continuously practised widely during the Mahathir Mohamad's period as prime minister through the privatisation policy. However, this chapter highlights the process of refeudalisation in Malaysia where Malaysian media portrayed and focused too much on Malaysian leaders especially from the ruling BN such as Mahathir and Abdullah Ahmad Badawi like a feudal king. This helps by Malaysia's political culture which is still feudalistic in nature. This process and political

culture curb the media and close the public sphere for the benefit of the government.

Chapter 3 continues the analysis about the Malaysian media, but the focus is on the Malaysian legislation. This chapter analyses the impact of Malaysian laws toward the overall media practices. It looks deeply on the federal constitution and several restrictive laws such as the Internal Security Act (ISA), Sedition Act (SA), Official Secret Act (OSA), Printing Presses and Publications Act (PPPA) and several other laws. These legislation are among the main factors that contribute to the limitation of press freedom and engineer the refeudalisation process in Malaysia.

Chapter 4 looks into the reasons or justifications in restricting press freedom and strengthening the refeudalisation process. It explores four issues that have been used as justifications in curbing the media; the national stability, developmental journalism, pornography and hate speech. While pornography is accepted as a right justification to be restricted based on the cultural and religious grounds, but the arguments of national stability, developmental journalism and hate speech are rather controversial due to the claim that the ruling BN manipulates them in curbing the press. The government argues that those arguments are essential in ensuring that Malaysia is stable politically, prosper economically and in harmony, racially and socially. However, many especially the opposition parties and political non-governmental organisations (NGOs) criticise the government's view and argue that the real reasons to restrict the press freedom is for the purpose to weaken the opposition and dissent and limit political freedom. Therefore, the media have been controlled by the government in order for the ruling BN to prolong its domination onto the political power, public sphere and public opinion.

Chapter 5 analyses the newspapers reporting or coverage and tendency toward political parties contested in the 2008 general election. It explores the result of the general election and how the press influence the result. It examines in detail three types of newspapers; mainstream newspapers, alternative newspapers, and political tabloids. Mainstream newspapers used for this analysis are the New Straits Times and The Star. Both are bias toward the ruling BN party in their coverage in the 2008 general election. Alternative newspapers selected for this analysis are Harakah owned by Islamic Party (PAS) and Suara Keadilan owned by People Justice Party (PKR), and both are definitely bias toward their respective

owners against the ruling BN. Moreover, political tabloids such as *Buletin Rakyat*, *Mingguan Wasilah* and *Siasah* gave more attention to the debate between the government and opposition. *Siasah* seemed bias toward the opposition party, but *Buletin Rakyat* and *Mingguan Wasilah* were slightly balance in their coverage on political party. Unlike the mainstream media, political tabloids were able to provide channels for the opposition parties to distribute and spread their views and party agendas. Therefore, Chapter 5 is essential in order to understand the real intention or situation of those newspapers participating in the public sphere.

Chapter 6 centres on the counter-argument of Habermas' refeudalisation called "defeudalisation". This process of defeudalisation exists and develops as a response to the process of refeudalisation through the introduction of new media such as the Internet and mobile phone. This process is so strong where it could counter the refeudalisation process by challenging and weakening the state as actor for refeudalisation and giving the people new space and medium in expressing their critical views. This defeudalisation process emerged in Malaysia in 1998, soon after former Deputy Prime Minister Anwar Ibrahim being sacked from the government and detained and imprisoned under the charges of corruption and sexual misconduct, where the Internet have been used by the people to criticise the government of harsh treatment to Anwar. Since that event, the process was gaining strength and in the 2008 general election, defeudalisation through the Internet and mobile phone was able to be utilised by the opposition parties in gaining supports from the people. The opposition managed to attract the voters to vote them in the election which later saw the opposition denied the two third majority seat previously won by the BN and took control five states. Not only the opposition surprised of the outcome of the election and how the Internet and mobile phone managed to assist them in their campaigns, the ruling BN also admitted that the new media dominated by the opposition is one of the major factors contributing to its bad result in the election.

Chapter 7 looks into the demands and pressures, by especially the civil society movements, to the government in strengthening the practice of free press in the pre- and post-2008 general elections. It concurs with the theory of social responsibility that although press freedom is important for any democracy, it must be guided by the practices of responsible media through such as responsible reporting particularly in multiracial, multireligious and multicultural country like Malaysia. This is in line with the concept of public journalism where the media should report and

deliberate ideas and views in the interests of the people, not bias for the government, the media owners or any particularly groups. Public journalism is a counter argument of Malaysia's developmental journalism. By implementing free and responsible media, and public journalism, Malaysia could permit not only public deliberation and free press with responsibility, but also maintain racial harmony, political stability and economic prosperity. Hence, certain international laws on free speech and free press should be ratified and restrictive domestic laws should be either repealed or amended. This chapter also suggests several recommendations in improving the practices of press freedom in Malaysia. Therefore, the struggle to establish a free and responsible media system in Malaysia is a continuous agenda where the Malaysian people deserve to have as one desirable common good.

CHAPTER ONE

FREEDOM OF THE PRESS IN THE PUBLIC SPHERE

The media are essential in the modern world of democracy because it can inform the people and influence their decisions in private and public life. It may also seek to lay down an agenda for the nation to pursue. A free press helps to preserve and promote democracy by safeguarding the independence of its institutions, including itself, and ensuring their accountability. It is on this account that it comes to earn the status of the fourth estate of the State (because of its “watchdog” function) and has today become one of the most powerful institutions of society. No democratic society can exist or can be conceived of without a free media, which is its life-line, and at the same time democratic values alone are likely to nurture a free media.

The media are also essential to a democratic society. Alexander Meiklejohn (1965) stresses on two functions of freedom of the press in a democracy: one is the formative function, where a free press permits the flow of information necessary for citizens to make informed decisions and for leaders (public servants) to stay abreast of the interests of their constituents (the electorate); and the second is the critical function, where the press in particular serves as the people’s watchdog, ensuring independent criticism and evaluation of the government and other institutions that may usurp democratic power. Furthermore, freedom of the press is important to the public in order to attain truth. The belief that anyone might make a valuable contribution to the search for truth or for better ways to do things does not mean that we think “anyone” is likely to. It means: (1) There is no way of telling in advance where a good idea will come from. (2) Valuable contributions to arriving at truth come in many forms, speaking the truth being only one of them. We arrive at truth or the best policy largely by indirection. (3) Thus, much of the value of a person’s contribution to the “marketplace of ideas” is its role in stimulating others to defend, reformulate or refute ideas, and that value

may be quite independent of the merits of the original view. Even fallacy has its place in the search for truth (Lichtenberg 1987, 338).

Beside free press, this book will also explore a theory called the public sphere pioneered by Jurgen Habermas in order to understand the role of the media in today's world and national politics. Habermas emphasises the critical role of the media in the public sphere, distinguishing between the early press who highlighted political controversy and the more recent development of media that commodifies the news (Thornton 2002, 9). He outlines the development of Western newspapers in the early seventeenth century, commenting that the press "was for the first time established as a genuinely critical organ of a public engaged in critical political debate: as the fourth estate" (Habermas 1962/1989, 60). Identified as "the most prominent latter-day descendant" of the Frankfurt School, Habermas holds similar views about Marxism as a flexible, critical approach. He agrees that the working class was no longer revolutionary and that the Soviet Union version of Marxism was highly distorted. He also agrees that many of Marx's concepts need to be revised as capitalism had changed markedly (Giddens 1985, 123). Habermas transcends the work of the early Frankfurt School in creating his own system of thought (Giddens 1985, 124), although his media analysis has been seen as heavily influenced by Horkheimer and Adorno's model of the culture industry in the *Dialectic of Enlightenment* (Outhwaite 1994, 12). Therefore in this chapter, it will explore the concept of press freedom and together with the argument of Habermas' public sphere in explaining the essential roles played by the media in the society.

The Role of the Press

The mass media includes radio, television, magazines, newspapers, and the Internet.¹ The concept of freedom of the press developed in the seventeenth and eighteenth centuries in the US and Europe. The mass media, however, began to come into being only in the 1830s with the penny press (Lichtenberg 1987, 350). Prior to this, political newspapers circulated only among elites, made no pretence of objectivity or neutrality, and were marked by a degree of vitriol and bias unmatched today. They were financed by political parties, candidates for office, or political factions, who were directly responsible for editorial policy (Schudson 1978, 14-15). Freedom of the press has been given a wide and confusing array of interpretations, evident in a study conducted by the Indian Press

Commission which indicated that people variously understood freedom of press to mean (Holland 1956; Jeffery 1986, 198-199):

1. Freedom from legal restraint—liberty, that is to say, to publish any matter without legal restraint or prohibition;
2. Freedom from prejudices and preconceived notions;
3. Freedom from the executive control of government;
4. Freedom from the influence of advertisers, or proprietors and pressure groups; and
5. Freedom from want—freedom from dependence on others for financial assistance.

In fact, all these factors are important facets of press freedom and all five should no doubt be satisfied before press freedom can be said to enjoy a real significance.

The intellectual heritage of the idea of free speech and free press is long and impressive. In 1644, John Milton (1644/1971) defended the freedom of the press and demanded the freedom to express his opinions above all other freedoms. Two centuries later, John Stuart Mill (1859/1974, 76), one of the most renowned philosophical advocates of the concept of liberty, stressed the importance of free flow of ideas and opinions. He emphasised the importance of freedom of opinion and expression to the free functioning of modern, democratic societies where the truth is upheld. The press undeniably plays a pivotal role in enabling the right of the individual to free speech to be exercised, as the press functions as conduit for disseminating information, which in turn contributes to the development of societies as a whole. Without the open communication of ideas and information, societies would remain in the darkness of ignorance. Moreover, a free press and democracy are complementary to each other. The media helps to preserve and promote democracy by safeguarding the independence of its institutions and ensuring their accountability as well as by facilitating the communication of ideas and policies.

A free press performs three essential features for a democracy: a “watchdog” role, the provision of knowledge and information, and the facilitation of public discussion (Baker 2003; Sawant 2001, 44-51; Ward and Cook 1992, 21-27). First, the role of a free press is to serve as a “watchdog” on government and its officials (as well as a watchdog of private centres of power). Vincent Blasi (1977) asserts that one of the most

important values attributed to a free press by eighteenth-century political thinkers, such as Cato (the pen name of co-authors John Trenchard and Thomas Gordon), John Wilkes, Father of Candor, Junius, and Thomas Jefferson, was that of checking the inherent tendency of government officials to abuse the power entrusted to them. The following statement, made by a South African court in the case of *Government of the Republic of South Africa v. Sunday Times Newspaper*, captured the inter-connection between freedom of expression and press freedom through this function:

“The role of the press in a democratic society cannot be understated. The press is in the frontline of the battle to maintain democracy. It is the function of the press to ferret out corruption, dishonesty and graft wherever it may occur and to expose the perpetrators. The press must reveal dishonest mal and inept administration. It must also contribute to the exchange of ideas. It must advance communication between the governed and those who govern. The press must act as the watchdog of the governed.” (Nadirayah 2002, 24)

The news media should serve as the watchdog of democracy and can perform the task of protecting of the people’s interests. This has led several scholars to consider the role of the press as that of “the Fourth Estate”.²

The press must be able to expose failures of, and abuses by government and government officials—with this capacity providing probably the greatest democratic safeguard against both malfeasance and misfeasance by government (Stewart 1975, Blasi 1977). Democratic development absolutely depends on the press being permitted to perform this “checking” function effectively; the aim of preventing the press playing this role may be the single biggest reason for governments’ censoring the press or abridging its freedom. The acts of omission and commission, of corruption, waste, inefficiency and negligence on the part of the authorities, can be exposed by it. Through investigative journalism, scams and scandals can be unearthed, anti-social activities exposed and implementation of the policies and programmes monitored and pursued. It is the accountability of those in power that distinguishes democracy from other political systems, and to the extent that the press acts as an instrument to ensure day-to-day accountability, it helps to make democracy real and effective. Of course, as stated, this condition sounds so ideal that in reality even the most democratic country will not fully live up to it. Further, advocates of a free press always feel that government has a tendency to manipulate the media and cannot be trusted because of the power it holds. However, a free press does not mean free only from the

overt restrictions of the government, which is a narrow conception of the freedom of the press, but also from other overt and covert influences; externally (i.e. from foreign powers and ownerships) and internally (i.e. the ownership of individuals who are close to the government and editorial censorship). The legitimate influence to the press is when the press is openly allowed diverse opinions from diverse sources to be debated and discuss as long as the opinions are not to be used to trigger disharmony situation. The illegitimate influence to the press is surely when all or almost all the media companies are dominated by individuals, subversive organisations—such as racist organisations like Ku Klux Klan and Neo-Nazi in the US—or the government, where strict restriction is normally imposed to only one particular idea and the circulation of diverse ideas are limited.

Second, people need information relevant to their political concerns. The press has a helpful role to play which flows from its role as an informer and educator of the people. Although the press is not the only forum and people can still use other methods of expression such as public gathering and demonstration and the press can effectively exercise this right of the people on their behalf through its space, which is absolutely necessary in a democracy. When the press represents and speaks on behalf of all the sections of the society, particularly the voiceless, it makes democracy a truly representative regime. Various conceptions of the right to know can be found in media ethics literature. According to H. Goodwin (1983, 9), this doctrine means that “the public has a legal right to know what its government is doing and the press is the representative of the public in finding that out”. R. Barney (1986, 65) argued that the right to know is a basic component of a “participatory society”. As he points out, “in order for consistently intelligent social decisions to be made, adequate information to the individual produces greater awareness of alternatives in any decision-making opportunity”.

C. Fink (1988, 11) describes the people’s right to know in terms of a duty, so that “while the freedom of expression gives the press the right to freely print the news, the people’s right to know gives the press the duty to print it”. What developed from this concept is “the idea of a press serving as surrogate of the people and demanding access to news, as well as freedom to print it, on behalf of the people”. It appears that the moral right to know, belonging to the public, and the legal concept of freedom of the press are inextricably bound together. The public’s right to know what is going on in its government and to have relevant information about

government officials underlies press freedom. This may explain why the public's right, expressed in shorthand as "the right to know", is often interpreted in terms of the media's right of access and publication. Some of these commentators suggest, as well, that the public's right to know includes more than just information needed to make knowledgeable political decisions. C. Gauthier (1999), however believes that the right to know guarantees citizens access to any available information relevant to political, professional, and personal decisions essential for the exercise of constitutional rights in a democratic society. For example, exercise of the rights of free speech, religion, and assembly, as well as the rights to liberty and property requires access to information, making possible rational choices and responsible actions in these areas. The danger comes in the too easy slide from the public's right to know to the right of the media to access and to publication. The seemingly unlimited nature of the first leads to an understanding of press freedom as similarly unlimited. Moreover, the elliptical right to know, justifying ethically controversial media claims and activities, obscures the more complicated relation between the rights of the public and press rights and gives media the illusion of unlimited freedom. Only the mass media is equipped to provide the information and make it publicly accessible. In doing so, the press will inevitably make errors. There will be factual inaccuracies and the press will make questionable, sometimes clearly misguided, decisions concerning what information is relevant to the public. However, if a robust free press is to be maintained, it must not be punished for these errors, at least if honestly made. This is the lesson of *New York Times v. Sullivan*, where the US Court held that the press could not be held civilly (or criminally) libel for defaming a public official unless the plaintiff could prove the falsity of what was said and prove that the false statement was made "with knowledge of its falsity or with reckless disregard of whether it was false or (not)". In other words, unless the paper was demonstrably not contributing any real information or viewpoint to the public sphere and was not showing any real interest in doing so, unless its legal critics could show that the press' assertions were false and knowingly (or recklessly) false, freedom of the press should protect the media from legal liability. After observing, in appropriately understated language, the nation's "profound commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials", the Court explained "erroneous statement is inevitable in free debate, and (it) must be protected if the freedoms of expression are to have the breathing space that they need (to) survive" (Baker 2003).

Third, the press can also act as a day-to-day parliament of the people by discussing the public matters in a way that may be more effective than the parliament itself. The press can provide an important forum for the people to debate and discuss the pros and cons of the issues and problems confronting them. Through news reports, articles, letters to the editor, interviews, panel discussion etc, the forum created by the press may supplement, and sometimes act more effectively, than parliament. The press can therefore act as an impartial, objective and constructive critic of official policies and programmes, and protect the interests of the nation from the politicians' vote-centred actions or inaction. Democratic processes do not always lead to the best decisions being made. But at least they allow for the general participation in decision-making that is characteristic of a society free from the domination of elites. Equally, while free speech and a free press are no guarantee that the truth or the best policy will be arrived at, it seems that the most likely outcome of unfettered debate will be some approximation of the truth or the best policy. A healthy democracy is one in which people are exposed to a variety of ideas and are given the chance to examine and reject those which they find unacceptable. They might not be right, but the level of debate and the demands this places on people's judgement will result in a populace with the ability to think critically and to make informed choices.

The Press Regulation

There is an argument that freedom of the press, even if worthless or harmful, must be tolerated and unregulated because of the risks created by suppression. According to Justice John Harlan, an attempt to purge public discourse of everything offensive and obnoxious would drastically impair "robust and uninhibited" public debate. There is also force in Harlan's argument that it is risky to make any exceptions on this point, lest there be no principled stopping place. But is he justified in his faith that society is strong enough to shrug off the side effects of allowing even the most debased messages their place in the marketplace of ideas (Harlan and Shapiro 1969; Farber 1980, 283)? Harlan's view is similar to the view of several writers such as William O. Douglas and Hugo Black who advocate the idea of "strong liberalism". They reject any regulation of free press by the government (Sunstein 1993, 5-8). They believe that the government is the enemy of freedom of the press and any effort to regulate the press by the government threatens the principle of free press. Government may not draw any lines between the coverage it likes and the coverage that it hates: all press coverage stands on the same footing. The protection given the

right to free press also equally to the well-known extremists and racists like the Communists, Nazis, and Ku Klux Klan in the US. The government, in this view, should ensure that broadcasters, newspapers, and others may say what they wish, constrained only by the imperatives of the marketplace of ideas. “Strong liberals” also accept the “slippery slope” argument, where any restrictions on the press, once permitted, have a sinister and nearly inevitable tendency to expand. To allow one kind of restriction is in practice to allow many other acts of censorship as well. The risk of censorship is so serious and omnipresent because seemingly small and innocuous acts of repression can turn quickly into a regime of repression that is anything but innocuous. Judges should not uphold restrictions on the press simply because government seems to have good reasons for the restriction in a particular case. Neither should they examine “the value” of the press at issue, compare it against the “harm” of that press, and announce a judgement based on weighing value against harm. In any such judgements, there is far too large a risk of bias and discrimination. “Strong liberals” argue that if judges were to balance harm against value, they would be likely to uphold a wide range of laws censoring political dissent, literature, and other forms of speech. However, the “strong liberals” are not only advocating complete freedom of the press, but also the constitutional protection of all speech in the press including commercial speech, sexually explicit speech, libel, publication of the names of rape victims, and advocacies of crime, the violent overthrow of the government and flag-burning (Sunstein 1993, 5-8).

However, many are critical to the argument of “strong liberals”. Most of the criticisms come from the advocates of “reasonable regulation”, who call for a form of balancing between the interest in free press and the likely harms in some particular cases in the US. The opponents were led most vigorously by Felix Frankfurter, who waged a challenge for balancing and against “strong liberals”, especially in the area of constitutional law (Sunstein 1993, 7). Frankfurter, in *Bridges v. California* 1951 and *Beauharnais v. Illinois* 1952, and, later, others, such as Robert Bork (1971) and Alexander Bickel (1976) argue that balancing is a healthy and even an inevitable part of a sensible system of free speech and free press. Judges should take into account the various conflicting interests that are inevitably at stake. Speech, coverage and report that threaten real harm may legitimately be prohibited. This category includes the press calling for violent overthrow of the government, libel of racial groups, and publishing a threatening message to a judge with reprisal if he rules against one of the parties. These thinkers argue that “reasonable regulation” should not

protect the advocacy of crime, commercial speech, hate speech, obscenity, and the libel of individuals and groups. The government is not an enemy of free press, in fact, it should be allowed to maintain a civilised society. This principle means that the government must not restrict any legitimate speech in the press, especially for public policies and interests, expressed by, for instance, the opposition, pressure groups and civil society. At the same time, the government may also guard against the degradation produced by, for example, obscenity, the risk to social order posed by speech advocating violently overthrow of the government, and the threats to equality and civility produced by racial hate speech. This is parallel with John Stuart Mill's (1859/1974) view that states censorship is "only a prima facie wrong", recognising as well that censorship can be justified on the basis of protecting others from harm. Edmund Lambeth (1986), after reviewing Mill's arguments for free press, pointed out that all aspects of liberty can be limited to prevent harm to the interests of others.

Judith Lichtenberg (1987, 329-355) explains that the commitment to freedom of press has two different strands: The first is an opposition to censorship, based on a belief that "one should not be prevented from thinking, speaking, reading, writing, or listening as one sees fit"; the second, equally fundamental, is our conviction that the purposes of freedom of press are realised when expression and diversity of expression flourish. While government intervention seems to intrude upon the first principle, it may advance the second. Based on this argument, the state has a duty and responsibility to protect the right to press freedom. However, restrictions or regulations in these areas are only permitted if they are prescribed by law and are necessary in a democratic society in order to maintain public good. The restrictions must also pursue a legitimate aim and be proportionate to the public interests pursued such as restricting hate speech for racial harmony. The state that restricts press freedom more than acceptable or agreeable, according to the argument of "reasonable regulation", could be considered as non-democratic, less-democratic or autocratic state.

The Problems of the Media

The argument for freedom of the press is an argument for a more general freedom of expression. But it does not follow that whatever supports freedom of speech also supports freedom of the press, for at least two related reasons (Lichtenberg 1987, 333). First, considerations internal to the theory of free speech itself may provide reasons for limiting

freedom of the press. That is what is at issue in the claim that the contemporary mass media may suppress information and stifle ideas instead of promoting them. Second, the modern press consists largely of vast and complex institutions that differ in essential respects both from individuals and from the early press, around which the concept of freedom of the press grew. Arguments that support freedom of expression for individuals or for small publications do not necessarily support similar freedoms for the mass media. But contemporary defenders of freedom of the press commonly assimilate the new forms to the old. There are several problems with the arguments for unlimited press freedom which come from the issues of: (1) control, (2) surveillance, (3) the truth (or marketplace of ideas), and (4) public opinion (Graber 2003, 139-160; Sawant 2001, 44-51; Gauthier 1999, 197-213).

Control

According to Doris Graber (2003, 142), there are no media that are free from government controls. Many of the regulations regarding the size and reach of media business combinations, protection of national security, protection of the rights of individuals, and cultural safeguards strongly influence what may and may not be published. Violations are kept in check by the fear of regulatory legislation. In times of war or similar threats to national security, controls have often become quite severe, including laws that prohibit criticism of the government (Hemmer 2000, Tillinghast 2000). Finally, most of the information about government that the media present is supplied by government sources, giving government officials control over what to disclose or conceal and allowing them to present information from the government's perspective. Whether government's role as the main supplier of news about its activities impairs democracy, and if so how much, remains an unsettled argument. So does the question of whether government control of the media is more likely to be accepted or rejected. P. Sawant (2001, 44-51) argues that the media, besides the influences of the government, has also been influenced from the other overt and covert influences externally and internally. The external pressures flow from social, racial and religious groups; politicians, political parties and their supporters; bureaucrats, police, local idiots and mafias of all kind; and militants and terrorists wherever they exist. Internally, pressures are exerted by proprietors, advertisers and financiers. Besides, the political, ideological, class, caste, racial, social, religious and even personal biases and even corrupt motives of the editorial staff from the editor down to the reporter, play their own role in

interfering with the honesty of the media. Many media businesses try to serve the public's interests, but the extent of their public-service orientation varies greatly. Currently, for instance, most major media in the US are owned by large business enterprises whose primary goal must be to produce revenue for the shareholders of their parent companies. That may mean that the public-service orientation yields to profit concerns occasionally or regularly. To serve huge, heterogeneous audiences, media enterprises feature sensationalised news of crime, sex, and violence and oversimplify serious news. Many media critics call that a disservice to democracy because "soft" news replaces "hard" political information; others hail it as praiseworthy populism (Franklin 1997, Brants 1998, Hermes 1997).

According to Gillian Doyle (2002, 19), whatever regulatory measures are in place, the opportunities for media owners to assert an indirect influence over the content and the agenda of products they own seem so comprehensive as to defy any absolute guarantees of separation. An owner's influence may manifest itself in the choice of key personnel, or in strategic decisions about which resources to reduce or invest in, or in arrangements for sourcing and distributing content. Not all owners wish to exert an influence over the content of their media and, for those that do, the primary motivation may sometimes be political rather than commercial. Nonetheless, the reason why diversity of ownership is important for pluralism is because media ownership can translate into media power (Meier and Trappel 1998, 39). Since it is difficult to monitor the intentions of media owners, or to fully regulate their conduct in respect of editorial matters, the single most effective way of ensuring a healthy diversity of voices in the media is to prevent media power from being monopolised by the government, politicians, particular commercial interests or one or two individuals. An especially blatant example of the damage which concentrated media ownership may inflict on political pluralism and on democracy more generally is provided by the case of Silvio Berlusconi "using his three TV stations reaching 40 percent of the Italian audience to give unremitting support to his own political party" in Italy during the March 1994 elections (Graham and Davies 1997, 32).

Surveillance

Within democratic theory and practice, the media is expected to serve as the eyes and ears for citizens, who need to monitor the soundness of policies and the performance of politicians. The unstated assumption is

that the media have the ability, resources, inclination, and mandate to perform this oversight function. In reality, in many countries, their powers are very limited and no match for the power of politicians to hide what they are doing. The media lack subpoena powers to trace hidden information. They must depend on what is voluntarily supplied or what emerges when insiders leak information to the press. They also lack sufficient money and manpower for systematic oversight. Besides, they do not consider surveillance a compelling mandate. This is why the media usually wait for leaks and tips, although some still manage to implement investigative journalism. Even then journalists rarely act unless the activities involved seem clear and easily investigated and unless the investigation seems likely to produce a newsworthy, appealing story. Impending institutional failures and the public's need to know about them have been insufficient to stimulate major investigations (Graber 2003, Lang and Lang 1983, Jamieson and Waldman 2003).

T. Patterson (1993) has highlighted numerous specific complaints about news quality. He accuses the media of failing to discuss the likely consequences of various types of political decisions. They may speculate about future events but they rarely tell their audiences what the political impact is likely to be. Talk about the horse-race aspects of elections is plentiful during campaigns, whereas analyses of the capabilities of various candidates are neglected. The media rarely point out patterns in political developments; they approach political happenings as if they were a series of discrete events. They emphasize novel twists that may be insignificant while ignoring long-term continuities. Lengthy analytical pieces are rare. The media favour stereotypes and perpetuate them because they are dramatic and easy to understand, rather than to offer nuanced comments.

The situation is the same with regard to monitoring misbehaviour, corruption, and abuses of power by the government. Investigative journalism has enjoyed a few spectacular successes—for instance in US cases, unearthing the Watergate scandal in the Nixon administration, disclosing the My Lai massacre during the Vietnam War, reporting on excesses by Central Intelligence Agency (CIA) and Federal Bureau of Investigations (FBI) agents, and detailing the activities of corrupt individual politicians. But such investigations have been exceptional, not routine (Protess et al. 1991, Sabato et al. 2000), which only allocate a small part of their content to public affairs and a tiny amount to disclosure of official wrong-doing (Curran 2000, 122). However, the monitoring function has a deterrent effect that may be more significant than the actual

investigation of wrong-doing. Like all non-happenings, the extent of deterrence is hard to measure.

The Truth

One contention is the public dialogue generated by media coverage will help to bring out the truth in political controversies so that the best policies can emerge. In the words of the US Supreme Court *Red Lion Broadcasting Co. v. FCC* 1969, in “an uninhibited marketplace of ideas...(the) truth will ultimately prevail” because many viewpoints will be heard (Graber 2003, 142). In reality, however, the cacophony of voices in today’s marketplace of ideas often confuses non-experts more than it enlightens them. The problem is made worse by the “neutrality” norm, which precludes telling their audiences where the “truth” might lie, because it does not apply to all media in all countries, for instance, newspapers in the West are often explicitly partisan. Instead, the news is flooded with comments by “expert” sources with diametrically opposed opinions. That makes it difficult for lay people to judge the merits of complex policies (Neuman 1986, Zaller 1994). Of course, what is true and untrue in the policy realm, and the criteria by which policy alternatives should be judged, are matters of political and personal choice, but the marketplace of ideas, stocked with diverse news stories, gives little reliable guidance even about factual matters.

A second claim about the marketplace of ideas is that genuine news diversity requires that a large number of independent journalistic enterprises, representing many different perspectives on politics, must select and present the news. Many critics believe that the increasing concentration of news enterprises precludes such diversity (Bagdikian 1996, Alger 1998). News media have multiplied steadily, but many are controlled by the same large business enterprises or by the government and companies that have a close relation with the government. The number of media outlets competing for audiences does not necessarily determine the diversity of viewpoints that are publicly aired. Media tycoons who control numerous media enterprises, such as Rupert Murdoch, often sponsor vastly different news outlets. Murdoch, for example, simultaneously controls a popular British tabloid, *The Sun*, *News of the World*, and *Times* (Gunther & Mughan 2000), *Sky TV*, and in Asia, *Star TV*. The American media are often rivals in conformity, framing the news in line with mainstream political orientations. That happens because they share notions about what is newsworthy and what appeals to their

particular publics, they tap the same sources of information, and they seek to appeal to the same audiences. In the eyes of critics, the media do not offer the electorate multiple, diverse frames of reference on political issues that citizens need. This is especially true in the foreign policy realm. Most discussions of US foreign policies are presented from a particular interpretation of the perspective of the US. It was argued that, from the late 1960s onward, American aid programmes to developing countries, and the “free flow of information” policies promoted by the US government, assist the American media industry in its drive to achieve international domination (Schiller 1998). Far from promoting self-sufficiency, the “modernisation” of developing countries merely fosters dependency within an exploitative system of global economic relations. It promotes American capitalist values and interests, and erodes local culture in a process of global homogenisation. “Today”, writes Herbert Schiller (1998, 17), “the US exercises mastery of global communications and culture”.

Public Opinion

The mass media in democracy are expected to give voice to public opinion so that the government will know where majorities and minorities stand. The view that the media frame the news to reflect the opinion of various publics or the opinions of the majority is another myth that has little relation to political realities. Nonetheless, it has major consequences because political observers often equate the thrust of media coverage with a single, unanimous public opinion when there is no such unanimity.

There seems to be agreement that the role of the media in society is to inform the public of what it needs to know and to serve the public interest. The press has tremendous power to determine the focus and tone of public discourse. Whatever is widely reported becomes news and sets the agenda for public discussion and further investigation and reporting. To the extent that issues are truly important to people’s lives and relevant to their personal and political decisions, the quality of public discourse is elevated and the goal of an informed public is well served.

The danger arises when members of the press abuse the power to set agendas for public debate and discussion in ways that threaten the quality of public discourse and, as a result manipulate individual and collective decision-making. Lee Bollinger (1991, 27) recognises this danger, writing that the press may “exert an adverse influence over the tone and character

of public debate in subtle ways". Bollinger (1991, 26 & 39) argues that press freedom poses a threat to the quality of public discussion, and ultimately to democracy, through the potentially harmful effect of such freedom on the quality of "democratic decision-making". Gauthier (1999, 197-213) agrees in his concern for the detrimental effects of unlimited press freedom on the quality of public debate and on the democratic system. In addition, when issues of little or no significance become the focus of public debate, particularly with intrusions into people's private lives, the quality of public discourse is debased and the goal of an informed public is subverted.

Furthermore, the press cannot function as a megaphone for public opinions because it does not keep in regular touch with various factions among the public. For instance, Howard Zinn (1991) argues that the problem with free speech in US is not with the fact of access, but with the degree of it. There is some departure in the mainstream press from government policy, but it is limited and cautious. Some topics are given prominence, others put in the back pages or ignored altogether. Subtle use of language, emphasis, and tone make a difference to how the reading public will perceive an event. Edward Herman and Noam Chomsky (1988) point out how the American press paid much attention to genocide in Cambodia, but ignored the mass killings in East Timor, carried on by Indonesia with US military equipment. The media note the very large attention given to Arab terrorism and the small attention given to Israeli terrorism. They comment on the sensational coverage of the break-in of Democratic party headquarters (Watergate) and the very tiny coverage of the much more extensive series of break-ins by the FBI of the headquarters of the Socialist Workers party (Zinn 1991).

Journalists gather most of their information for news stories from media beats representing selected public and private institutions, but not the mass public. The opinions of elites are featured while the views of the mainstream public are marginalised; and the views of ideological dissenters are largely ignored. Overall, the opinions of the mass public are treated as quaintly interesting but as inconsequential, except in connection with electoral politics and situations in which public support and compliance are essential. The mass media has also come to depend excessively on public opinion polls taken by their own or other organisations. Leaving aside the many questions that have been raised about how accurately public opinion polls reflect public views, and their tendency to simplify everything, the number of issues about which its

opinion is reported is minuscule compared with the number of important public policy issues facing the nation at any particular time (Traugott & Lavrakas 2000, Asher 2001). Still, the press supplies the raw material from which public opinion is formed, so there is indeed a connection between the press and public opinion. If the press fails to alert people to information that they need to judge major aspects of the political scene, citizens' capacity to influence public officials suffers.

Media and the Public Sphere

The media has been historically polarised between the liberal and Marxist debates of it. Recently, there is a movement propagating a "radical democratic" approach of the media which evolves the projection of this by major Western governments as the triumph of capitalism in the wake of the popular rejection of communist regimes globally. Proponents of this movement try to reapply the fundamental principles of democracy in realisation of current complex modern societies. Therefore, they believe that the concept of the public sphere is an accessible and independent realm in which each voice is equal to one. The public sphere is the means by which democratic decisions are reached. Re-examinations of theories of the public sphere have inspired new and innovative ways of examining current developments in the media and have been used to overcome the theoretical deadlocks of the past. For many the degree to which the mass media function as a public sphere, representative of the citizenry and accessible to all, serves as a key barometer of democracy within a polity. This arises from a lengthy tradition which places the media at the interface between the governors and the governed. From this perspective democracy is a relative concept. The character of a democracy is dependent on the flow of public information. This will determine to what degree the citizenry can take actions based on informed decisions and make government accountable (Gillwald 1993, 65-77).

From a traditional liberal position the public sphere is an arena between the distinct areas of state and civil society that guarantees the protection of the individual. Liberal theory equates the public sphere with the political domain and the public role of the media is defined in relation to government. The liberal belief in the virtue of civil society's domination over the state, however, has led to a view of the market as the mechanism best suited to meeting the information needs of society. However, the further the market commands information flows through conglomeration, privatisation and deregulation—the further it fails to fulfil democratic ideals